

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

George J. Coupe

v.

Civil No. 11-cv-292-PB

Technology Investment Partners, et al.

O R D E R

Pro se plaintiff George J. Coupe filed suit against Technology Investment Partners, Kelly Neubecker, and Caine & Weiner, on June 14, 2011 (doc. no. 1) along with a motion for preliminary injunction (doc. no. 2). On that date, the Clerk's Office of this Court mailed plaintiff summonses for defendants (doc. no. 3). The court on June 15, 2011, took the motion (doc. no. 2) under advisement and directed the clerk to set a hearing after defendants appeared and responded to the motion.

Plaintiff is required to serve a summons and a copy of the complaint upon a defendant within 120 days of the date the complaint was filed. See Fed. R. Civ. P. 4(m).¹ If plaintiff fails to serve process within the requisite time, the court must

¹Fed. R. Civ. P. 4(m) states, in relevant part:

If a defendant is not served within 120 days after the complaint is filed, the court - upon motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

dismiss the complaint without prejudice or give plaintiff an additional specified period of time within which to make service upon the defendant. Id. As of October 26, 2011, 134 days after the complaint in this case was filed, plaintiff has not filed any returns of service indicating that defendants have been served with a copy of the complaint.

Plaintiff is hereby notified that he has forty-five days from the date of this Order to serve the defendants and file returns of service documents in this Court indicating that the defendants have been served. If plaintiff seeks additional time to make service upon the defendants in this matter, he must so move the Court prior to the expiration of the forty-five day time limit, and show good cause for failing to serve defendants in the time provided herein. See id.

Failure to comply with this Order will result in a recommendation to the District Judge that this matter be dismissed without prejudice as to any defendants who have not been served.

SO ORDERED.



Landya B. McCafferty
United States Magistrate Judge

Date: October 26, 2011

cc: George J. Coupe, pro se

LBM:jba